

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

KENNETH MAYBERRY,  
ID # 299187,  
Plaintiff,

vs.

JOHN ARAGOR, et al.,  
Defendants.

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No. 3:11-CV-0333-K

ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. By separate judgment, Plaintiff's federal claims will be dismissed with prejudice as frivolous pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b), and Plaintiff's state claims of negligence and intentional infliction of emotional distress will be dismissed without prejudice to pursuing them in state court. Plaintiff's motions for an emergency protective order and for a temporary restraining order (docs. 17, 24) are **DENIED**.

SO ORDERED.

SIGNED this 27<sup>th</sup> day of September, 2011.



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UNITED STATES DISTRICT JUDGE